

The Minutes of a Regular Meeting of the City Council.

Austin, Texas; June 15, 1891.

Hon. John McDonald, mayor, presiding.

Role

Roll Call. Present - Aldermen Assmann, Carlton, Glass, Jackson, Linn, Morris, Nitschke, North, Phillips, Platt, Suter, Wingfield and Ziller. - 13.

Cllr.

Absent. - Aldermen Anderson, Graham, Hume, Newton, Schneider, Schuber, Townsend. - 7.

Minutes.

On motion of Alderman Linn, the reading of the minutes of the meeting of the City Council which was held on the 1st day of June, 1891, was dispensed with and they were adopted as printed.

Alderman Schuber entered the Council and answered to his name.

Petitions, Memorials, Etc.

City Clock - Bahn.

Alderman Linn presented a proposal from G. St. Bahn stating that he would repair the City Clock, and wind and keep it in repair for the sum of \$100.00 per annum. Alderman North moved to refer the proposal to the finance Committee and the motion prevailed.

Alderman Anderson entered the Council and answered to his name.

" " - Schneider.

A proposition was received from A. St. Schneider, stating that he would repair the City Clock, wind and keep the same in repair for the sum of \$50.00 per annum, payable monthly. Aldermen Hume, Townsend, Graham, and Newton entered the Council and answered to their names.

Alderman Platt moved that the proposal of A. St. Schneider be accepted and the motion prevailed by the following vote: Yeas - Aldermen Assmann, Carlton, Glass, Graham, Jackson, Morris, Newton, Nitschke, Platt, Wingfield, Ziller. - 11.

Nays - Aldermen Anderson, Hume, Linn, North, Phillips, Schuber, Suter, Townsend. - 5.

Elizabeth Brown.

Alderman Suter presented a petition from Elizabeth Brown, asking that she be granted relief from the damage caused to her homestead - 604 West 1st Street - by reason of the construction of the road bed of the railroad to the site of the dam.

Alderman Linn moved that the petition be referred to the Street Committee.

Alderman Morris moved to amend the motion by adding the city attorney to the Committee and instructing him to give an opinion as to the legality of the claim. The amendment was accepted, and the motion as amended was adopted.

Reports of City Officers.

By the Sanitary Inspector. - A report asking to be instructed what to do with reference to swine as nuisance. Slaughter-pens taken into the City by the new city charter. It was referred to the Finance and Survey Committee.

By the Sanitary Inspector. A report for the Committee on Finance and Survey to inspect the marsh of the State River and say what should be done with it.

March 1st, 1891.

It was read and referred to the Committee on Sanitation and Beverage.

E. W. Herndon.

Committee Reports.

Alderman Phillips, for the Street Committee, to whom was referred a petition from E. W. Herndon, asking that the street in front of his residence, - No. 304 West 8th Street - be graded, submitted a report which states that the grading asked for will be done as soon as convenient. The report was ordered filed.

Ned Green.

Alderman Phillips, for the Street Committee to whom was referred a petition from Ned Green, requesting that certain repairs be made on East 6th Street, west of Chemico's Store, presented a report thereon, which states that the work asked for has been ordered done. The report was ordered filed.

Side Walls-University Ave.

Alderman Phillips, for the Street Committee, to whom was referred an Ordinance Establishing the width of sidewalks on University Avenue, presented a report thereon recommending the passage of the same. The report was laid over to be taken up with the ordinance named therein.

C. H. Achilles.

Alderman Phillips for the Street Committee to whom was referred the Claim of C. H. Achilles for damages to his premises, alleged to have been caused by a defective sewer or gutter, offered a report thereon recommending that the Claim be not allowed. The report was adopted.

R. A. Flume.

Alderman Phillips for the Street Committee to whom was referred the Claim of R. A. Flume, for damages to his premises caused by cutting the street down in front of his residence in Duval addition, for the dam railroad, introduced a report thereon recommending the reference of the Claim to the Board of Public Works.

Alderman Carlton moved that the Claim be re-referred to the Street Committee, and that the City Attorney be added to the Committee. The motion prevailed.

H. B. Kinney.

Alderman Phillips, for the Street Committee, to whom was referred a Claim from H. B. Kinney, for damage to a rock wall in his premises, on the corner of Fourth and Chestnut Streets caused by an overflow from the embankment of the dam railroad, presented a report thereon recommending the reference of the same to the Board of Public Works.

Alderman North moved to recommit the Claim to the Street Committee and that the City Attorney be added to the Committee. Carried.

Purchases.

Alderman North for the Finance Committee presented a lengthy report concerning the "slipshod and dangerous" method now pursued in the purchase of sundry supplies for the City. The report recommends that the Mayor instruct the City Attorney, the City Clerk and the City Treasurer to prepare a resolution regarding the same pointed out, for discussion at the next regular meeting of the City Council. The report was adopted.

Alderman Carlton, of the Committee on Claims and Accounts, to whom was referred a claim from J. J. Wells, for

J. W. Dill.

damages claimed by him to the amount of \$100.00, caused by the establishment of a Small-Pox Camp by the City, next to a tract of land rented by him from Mr. Jagua, submitted a report thereon, reciting the fact that Mr. Wells had already been allowed the sum of \$50.00, as damages to said land caused by the Small-Pox Camp being established near the same, and that said sum is considered by the Committee ample Compensation for the damage. The report was adopted.

Mrs. F. E. Suares.

Alderman Carlton, of the Committee on Claims and Accounts, to whom was referred the claim of Mrs. F. E. Suares for \$50.00, for damages alleged to have been done her by reason of the Small-Pox Camp having been located next or near some land she had rented, presented a report thereon which states, "that they find Mrs. Suares had rented some land for the year 1891, at the rate of five dollars per acre, rent to be paid on or before Jan'y 1st, 1892; that about five acres of this land lay so close to the Small-Pox Camp that she could not get it worked, thereby losing the use of it up to the time the Camp was abolished, that she caused it to be plowed or broken up before the Camp was established, that the usual price of breaking up land in that neighborhood was \$2.50 per acre.

Your Committee in view of all the facts, recommend that Mrs. Suares be paid the amount she contracted to pay for use of the land for the year 1891, to wit: the sum of \$25.00, and in addition the sum of money which it was worth to break it up to wit: the further sum of \$12.50, making in the sum of \$37.50, which your Committee recommends be paid her in full of all her claim against the City.

Alderman Dinter moved that the report be adopted, which was rejected by the following vote: Yes - Aldermen Carlton, Giese, Kenton, Platt, Dinter, Wingfield, Ziegen. - 7.

Nays - Aldermen Anderson, Hesemann, Graham, Stume, Jackson, Linn, Morris, Kirschke, North, Phillips, Schneider, Townsend. - 12.

Alderman Carlton, of the Committee on Claims and Accounts, to whom was referred the petition of Mrs. W. N. Hoge, asking for some relief in reference to a cow of hers sold at the city pound submitted an unfavorable report, it appearing that the law relative to such sales had been fully complied with.

The applicant is therefore left such relief as she may be entitled to under the City Ordinances. The report was adopted.

Alderman Schneider entered the Council and answered to his name.

Unfinished Business.

An Ordinance establishing the width of Sidewalks on University Avenue, was taken up on its second reading and read.

A motion was then made to suspend the rules and place the same on its third reading, which was adopted by the following vote: Yes - Aldermen Anderson, Hesemann, Graham, Stume, Jackson, Linn, Morris, Kenton, North, Phillips, Schneider, Dinter, Townsend, Wingfield. - 14.

Nays - Alderman Carlton, Giese, Kirschke, Platt, Dinter, Ziegen. - 5.

The ordinance was then read the third time by caption

Mrs. W. N. Hoge.

Sidewalks - University Ave.

and on motion passed.

New Business.

Board Pub Wks.

Alderman North introduced an Ordinance to amend Section 1, of an Ordinance to amend and to condense into one Ordinance; an Ordinance to Create a Board of Public Works, of the City of Austin, and to prescribe the powers and duties thereof and amendments thereto, approved October 8, 1890.

It was read the first time after which motions were made to suspend the rules and place the same on its second and third readings both of which were adopted by the following vote: Yeas - Aldermen Anderson, Assmann, Carleton, Glass, Graham, Stume, Jackson, Linn, Morris, Newton, North, Phillips, Schneider, Schubel, Suter, Townsend, Wingfield, Ziller. - 18.

Nays - Aldermen Nitschke and Platt 2.

The Ordinance was accordingly read and on motion passed Alderman Anderson presented an Ordinance directing the Street Committee to have the public park in block No. 59, fenced.

It was read and referred to the Street Committee for a report as to the probable cost of the fence.

Alderman Linn offered an Ordinance appropriating the sum of five thousand and two hundred dollars for the purpose of paying the interest due July 1st, 1891, on the old bonded debt of the City of Austin. It was read the first time after which a motion was made to suspend the rules and place the same on its second reading, which was adopted by a vote of two-thirds of the whole Council. The Ordinance was then read by Captain, after which a motion was made to suspend the rules and place the same on its third reading, which was also adopted by a two-thirds vote of the whole Council. The Ordinance was then read by Captain a third time, and on motion passed by the following vote: Yeas - Aldermen Anderson, Assmann, Carleton, Glass, Graham, Stume, Jackson, Linn, Morris, Newton, Nitschke, North, Phillips, Platt, Schneider, Schubel, Suter, Townsend, Wingfield, Ziller. - 20.

Alderman Linn also introduced an Ordinance appropriating the sum of \$6025.00 for the purpose of paying the Austin Water, Light and Power Company hydrant rental for the six months ending June 30, 1891.

It was read the first time, after which motions were made to suspend the rules and place the same on its second reading, which was adopted by a vote of two-thirds of the whole Council.

The Ordinance was read a second time by Captain. A motion was then made to suspend the rules and place the ordinance on its third reading, which prevailed by a vote of two-thirds of the whole Council. The ordinance was then read a third time by Captain, and on motion passed by the following vote: Yeas - Aldermen Anderson, Assmann, Carleton, Glass, Graham, Stume, Jackson,

Park-Bld 59, fence.

\$5200⁰⁰ Interest.

\$6025.00 Water.

Linn, Morris, Newton, Nitschke, North, Phillips, Platt, Schneider, Schubel, Sutor, Townsend, Wingfield, Ziller - 2.

Cemetery dead house \$35.00.

Alderman Ziller presented an Ordinance appropriating \$35.00, to pay the cost of removing the dead house in the City Cemetery. It was read the first time after which motions were made to suspend the rules and place the same on its second and third readings both of which were adopted by a vote of two-thirds of the whole Council. The Ordinance was accordingly read and an motion passed.

Alderman Morris introduced an Ordinance appropriating the sum of two thousand, forty-two and 10/100 dollars to pay the Austin Water, Light and Power Company, an approved account for that amount. It was read the first time after which a motion was made to suspend the rules and place the same on its second reading which was adopted by a vote of two-thirds of the whole Council. The Ordinance was then read by Captain, after which Alderman Phillips moved to amend the same by adding the sum of \$80.00, the amount being the water tax due the City by said Company. The amendment was lost by the following vote: Yeas - Aldermen Anderson, Cissmann, Graham, Hume, Newton, Phillips, Platt, Ziller - 8.

Nays - Aldermen Carleton, Glass, Jackson, Linn, Morris, Nitschke, North, Schneider, Schubel, Sutor, Townsend, Wingfield - 12.

A motion was then made to suspend the rules, place the Ordinance on its third reading, which was adopted by a vote of two-thirds of the whole Council. The Ordinance was then read a third time by Captain, and an motion passed by the following vote: Yeas - Aldermen Anderson, Cissmann, Carleton, Glass, Graham, Jackson, Morris, Newton, Nitschke, North, Phillips, Platt, Schneider, Schubel, Sutor, Townsend, Wingfield, Ziller - 15.

Nays - Aldermen - Hume, Linn - 2.

Alderman Graham was excused.

Alderman Carleton introduced an Ordinance to amend Chapter Two, Title III, of the Revised Penal Ordinances of the City of Austin, by adding thereto another article to be known as article 112a, of Chapter two of Title III of said Ordinances.

The Ordinance seeks to prevent the painting, posting, marking or exhibiting on any sidewalk in the city any advertisement or notice. It was read and referred to the Ordinance Committee.

Alderman Morris offered an Ordinance to amend an ordinance entitled "An Ordinance to divide the City of Austin into wards, to establish the same and to fix the boundaries thereof and to provide for the election of Aldermen in the Eleventh ward". It corrects the line between the Second and Third wards, and was read the first time, after which motions were made to suspend the rules and place the same on its second and third readings, both of which were adopted by a vote of two-thirds of the whole Council. The Ordinance was duly read and no motion passed.

Alderman Morris moved that Messrs. G. S. Warner and J. W. Coulter be appointed judges of election for the Eleventh Ward, in place of J. H. Culver and Sam Morris who

Sidewalk signs.

Ward Boundaries

Less than 1 page.

decline to serve.

On motion the Council adjourned.
Milton J. Morris,
City Clerk.